

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

EDIE RIESTER,)	CASE NO. 8:08CV188
)	
Plaintiff,)	
)	
v.)	ORDER
)	
JAY VICK, PLAN ADMINISTRATOR, an)	
Agent or Representative of)	
CONNECTIVITY SOLUTIONS)	
MANUFACTURING, INC.,)	
)	
Defendants.)	

This matter is before the Court on the Court's own motion regarding the filing of the Plaintiff's Amended Complaint (Filing No. 27). The filing does not comply with Fed. R. Civ. P. 15(a)(2).¹ Plaintiff has not sought leave of the Court to amend her pleadings and for this reason, Plaintiff's Amended Complaint will be stricken. Accordingly,

IT IS ORDERED:

1. The Clerk's Office shall strike Plaintiff's Amended Complaint (Filing No.27);
2. Plaintiff shall have until August 29, 2008, to file a motion for leave to file an amended complaint and jury demand and shall attach a copy of the proposed complaint in accordance with NECivR 15.1; and
3. Defendants shall then have until September 5, 2008, to respond to Plaintiff's motion and to address whether the proposed amended complaint will affect

¹"A party may amend its pleading once as a matter of course . . . before being served with a responsive pleading." Fed. R. Civ. P. 15(a)(1). In the present case, the Defendants' Answers (Filing Nos. 16 and 17) were filed on June 20, 2008, and July 1, 2008, thus requiring Plaintiff to comply with Fed. R. Civ. P. 15(a)(2) in filing an amended pleading.

any issues raised in Defendants' Motions for Judgment on the Pleadings
(Filing Nos. 23 and 25) which are pending before the Court;

DATED this 22nd day of August, 2008.

BY THE COURT:

s/Laurie Smith Camp
United States District Judge